

THIRD NOTE OF U.S. WILL BE TO POINT

Attention of Officials and Diplomats in Washington is Centered at Summer White House at Cornish, N. H.

CANNOT ACCEDE IN ANY DEGREE TO SUGGESTIONS

Notification of Ships Which Carry No Contraband is Illogical—Will Claim Rights For Americans.

WASHINGTON, July 12.—The attention of officials and diplomats in Washington today is centered on the summer white house, where President Wilson begins consideration of his reply to the second unsatisfactory German answer to the protest of this government to the sinking of the Lusitania.

Indications today are that the third note of this government will be dispatched probably within a week and it will be brief, pointedly reiterating the former views of this government and rejecting the counter-proposals of Germany.

See's Lansing is scheduled to go to Cornish by the middle of the week. Before his departure he is likely to have a lengthy conference with Count von Bernstorff, the German ambassador, who is anxious to be of assistance if possible in straightening out the present badly tangled situation.

Wilson cannot accede, it is accepted by most as a matter of course here that President Wilson cannot accede in any degree to the suggestions made in the German reply. The administration is understood to appreciate the cordial tenor of the German reply, but as to the principles involved the two nations are still far apart. The way has been left open for further correspondence, but Germany and the United States apparently are as far apart as they were six weeks ago. This causes officials to become apprehensive lest the patience of the American people become exhausted and the situation assume the critical nature it possessed immediately following the destruction of the Lusitania.

The impression here is that the president's third communication regarding the protection of American travelers at sea will be a document remarkable for its brevity and directness. It is not thought that this government will enter into a lengthy argument through diplomatic channels, although the president is expected to point out why the counter proposals of Germany cannot be accepted by the United States.

Will Be Held Illogical. The suggestion, for instance, that the United States shall notify the German government of the departure of ships which carry no contraband will be held to be illogical, it is probable. This arrangement, it is contended here, could amount to a notification that all other ships carrying contraband are legitimate prey for submarines.

The proposal that the United States shall add additional ships under the administration flag is another German plan which this government is expected to reject because it would carry with it a virtual abandonment of the claim that Americans have a right to travel on any merchantman without fear of losing their lives.

President Wilson, it is anticipated, will

GIRL ACCUSED OF KILLING MOTHER

Noblesville Miss and Sweetheart Are Taken Back to Stand Trial—Self Defense is Her Plea.

NOBLESVILLE, Ind., July 12.—Miss Elizabeth Burke, 17 years old, and her sweetheart, Frank Taylor, 19 years old, charged with first degree murder in the slaying of the girl's mother, Mrs. Archie McClain, were brought here today and locked in the Hamilton county jail, pending action by the grand jury.

The young couple were arrested at Peoria, Ill., after several days' search and the girl is said to have confessed the killing, claiming she acted in self-defense.

The police here do not place credence in the girl's story, and advance the theory that the woman was deliberately murdered with an axe, being covered with a blanket, and afterwards slashed in the face with a knife. Miss Burke, who is a pretty blonde, sticks to her original story, however.

It developed today, according to the police that Mrs. McClain objected to her daughter's attendance with Taylor was due to the fact that the latter had a trace of negro blood in his veins. This statement, the police declare has been established through the physician who officiated at the birth of one of Taylor's parents.

Mrs. McClain was found dead on a lounge in her apartments several days ago and the disappearance of her daughter and Taylor at the same time resulted in suspicion against the man and girl.

PLAYGROUND EXPERT PAYS VISIT TO CITY

T. S. Settle of New York Attends Meeting of South Bend's Instructors.

T. S. Settle, traveling secretary of the National Playground Recreation Association, New York city, was in South Bend Monday as the guest of Recreation Director Barnes. Mr. Settle met with the corps of playground directors at their regular Monday morning conference at the high school building and gave them some interesting information regarding playground work that is going on in different cities throughout the country.

Previous to the conference the supervisors of the various playgrounds in the city spent some time in the high school gymnasium practicing the games which are being played and better acquainting themselves with the rules. At the conference an increased attendance during the past week was reported for all the playgrounds.

Next week the inter-playground competition will start according to an announcement made by Director Barnes Monday evening. The competition will include basketball, volleyball, captain ball, German bat ball, and track and events. These games are being played by teams composed of both children and adults and much interest is being shown in the coming inter-playground competition.

Monday afternoon Director Barnes, Mr. Settle and the various supervisors made a trip over the city visiting the various grounds and making a survey of the improvements which are rapidly being added in the different parts.

"DAGO MIKE" ARRAIGNED FOR CUTTING HOLYCROSS

Pleads Not Guilty to Charge of Assault With Intent to Kill—Victim Seriously Wounded.

With the complaining witness, Ray Holycross, in St. Joseph's hospital in a serious condition from knife wounds, alleged to have been inflicted by Mike Kiri Szombellaire, 626 S. Michigan st., trial in the case of the latter was continued until Tuesday, when he was arraigned in city court Monday morning. Szombellaire is accused of assault and battery with intent to kill. Holycross was injured in a fight which took place in a free-for-all gangster row on E. Washington st., early Sunday morning. Two Assyrians, it was said, had come to blows and one of them, Holycross, was injured. The defendant, who is known as "Dago Mike," for he too, called his gang together.

Bricks, sticks and fists flew and it was in the midst of the fight that Holycross was discovered to have been badly cut up. He alleged, with several other cutters, that "Dago Mike," as the defendant has been called, did the cutting. Mike was arrested early Sunday morning.

SALOON MAN ARRAIGNED

Detective Diver Declares Stephen Peters Operated on Holiday.

Stephen Peters, 195 Vista st., was arraigned in city court Monday morning charged with operating his bar on a holiday—namely, July 5. Ellis Diver, plain clothes detective, was complaining witness. Peters, who is a German, was alleged to have been operating his place last Monday. He denied the charge and the case was continued until July 16. He was released upon bonds of \$50.

Through some misunderstanding the charge was at first preferred against Myers. That affidavit was quashed, and a new one against Peters was filed.

CHILDREN SENT TO HOME

Juvenile Court Rules Parents Have Been Neglectful.

Five children have been taken from Anton and Lottie Matusewicz, 413 S. Scott st., in the juvenile court and were placed in the orphan's home. The family had been a problem for the juvenile officers and the various benevolent societies during the last five years. The father is addicted to drink and is serving a term at the penitentiary. It is said that the home always had been disorderly and filthy. It was only after many vain attempts to make the parents take proper care of the children that they were finally sent to the orphan's home.

CONCEALED MOTOR BOAT

Allen B. Gray Denies Receiving Stolen Goods Allegations.

That Allen B. Gray, 917 Marietta st., kept in concealment a motorboat valued at \$100, which was alleged to have been stolen from John Bursch by Donald Gray, was the charge placed against him by Bursch in city court Monday morning. Gray denied the charge, and he will be tried for receiving stolen goods July 14. He was released upon his own recognizance to appear in court on that date.

LOCAL GIRL HIT BY AUTO

Miss Louise Weiss Is Injured While Visiting at Chicago.

Reports from Chicago Monday stated that Miss Louise Weiss, 713 N. Scott st., was injured Sunday when struck by a taxicab at 63rd st. and S. Park av. Relatives of Miss Weiss stated at noon Monday that they had not been informed of the accident. The report from Chicago stated that Miss Weiss was knocked down and cut and bruised by an automobile owned and driven by George H. Hanson, 5929 Normal bldg.

INSPECTS CHICAGO ROAD

Business Manager Spaulding of the Chamber of Commerce made a motor trip to Michigan City Sunday inspecting the route to Chicago. Mr. Spaulding found that the road leading past Buchanan, Gallen, New Buffalo and along the Grand Beach is the best. He reported that even after the heavy rains the route appears in good condition and just now is the most practical road to Chicago.

CARRANZA IN CONTROL AT MEXICO CITY

Order is Being Maintained by Street Patrols While Small Squads Are Searching City For Zapatistas.

OUTBURST OF LOOTING DOES NOT MATERIALIZE

"First Chief" Expected to Return to Capital Soon—Consul Shanklin is on the Ground.

By Arthur Constantine.

MEXICO CITY, Mexico, July 12.—Carranza troops are in full control of the Mexican capital today. Order is being maintained by street patrols, while small squads are searching the city for any Zapatistas who may be still lurking here. The main Zapatista forces are in full retreat, pursued by the larger part of the army of Gen. Pablo Gonzales, the Carranza commander.

The outburst of looting that was expected upon the flight of the Zapatistas failed to materialize. Gen. Carranza is expected here within a few days to take up the reins of government. Because of the victory won against Villa by Gen. Obregon in the north, it is expected that the "first chief" will make another bid for American recognition.

The flight of the Zapatistas began Friday night. They took away with them 142 cars, or 80 per cent of the entire rolling stock of the railroads. Thomas Hohler, the charge d'affaires, is trying to secure the return of this stock, which will be required for the transportation of food supplies.

Consul Gen. Arnold Shanklin, who has been in Vera Cruz most of the time since Gen. Carranza took up his headquarters there, will handle American interests in the capital hereafter. Upon his departure they were taken over by the Brazilian minister.

The loss of Mexico City by the Zapatistas is said to have disorganized the entire southern army. Several Zapatista bands are reported to have headed for Xochimilco to destroy the water plant supplying the city, and Carranza troops are pursuing and trying to surround them.

WASHINGTON, July 12.—Gen. Carranza's retaking of Mexico City is the first step in his new campaign for recognition by the United States as the head of the government of Mexico. It was stated in state department circles and Mexican factoral circles today.

State department officials intimated that the first chief of the constitution would get little comfort from the United States government at his time, even though he maintained civil authority in the Mexican capital.

He pointed out that 11 months ago Carranza was escorted through the streets of Mexico City to the palace amid showers of roses and the huzzas of thousands of victors and that today he is as far from being master of the country as he was a year ago.

At the Mexican embassy, however, the Carranza representative today showed a high degree of optimism as to their campaign for recognition by the United States and they predicted that their government would make a formal request that the United States open diplomatic relations with them.

EL PASO, Texas, July 12.—Gen. Pascual Orozco, co-conspirator with Gen. Huerta, in a plot to violate the neutrality of the United States by starting a revolution in Mexico, forfeited his \$7,500 bail today and he was changed from American justice when he failed to appear before United States Commissioner Oliver to answer the charges against him.

Jose Zebave, charged with purchasing arms for the proposed revolution, Gen. Marcelo, Carveo, Ike Alderet and Marco Alderet, charged with conspiracy to violate the neutrality laws all waived preliminary hearing and their cases will now be taken up by the federal grand jury next autumn.

Gen. Carveo's bond was reduced from \$5,000 to \$2,500 and the bonds of the Alderet brothers from \$7,500 to \$4,000.

QUIGLEY FUNERAL TO BE HELD ON TUESDAY

CHICAGO, July 12.—The largest Catholic demonstration in Chicago's history will attend the arrival here of the body of the Right Rev. James Edward Quigley, archbishop of the Chicago diocese tomorrow.

More than 40,000 persons will be at the LaSalle st. station when the train bearing the body of the prelate arrives from Rochester, N. Y., at 7:40 p. m. Rev. Father D. J. Dunne of Holy Name, in a statement praising Archbishop Quigley for his untiring efforts for the church said: "While he handled millions of dollars, and at the time his last illness he had charge of approximately \$70,000,000 worth of property in the diocese, he died practically penniless. I doubt very much if he even left a will."

NOW CONTROLS ALL OF SOUTH AFRICA



PRETORIA, July 12.—Gen. Louis Botha, commander of the British forces in South Africa, is in control of the entire southwestern section, having accepted the surrender of all the German forces. Hostilities have ceased, it was announced.

ALIENISTS TAKE STAND FOR STATE

Men Ready to Swear Thaw is Still a Paranoiac to be Heard—Judge Says He is Misquoted.

NEW YORK, July 12.—The effort of the state of New York to prove that Harry K. Thaw is still a dangerous lunatic and to keep him in a psychiatric asylum for the criminal insane, this afternoon entered its final stage when Deputy Atty. Gen. Cook put on the stand the state's alienists, who were ready to swear that Thaw is still a paranoiac.

Dr. Flint was the first. He has been an ally of the state and has been ever since Thaw in 1906 began his efforts to obtain freedom.

When Cook reconvened this afternoon, Deputy Atty. Gen. Becker concluded reading the testimony given by Mrs. Evelyn Nesbit Thaw and others. Dr. Flint first told of his education and opinion in state department hospitals and sanatoriums devoted to mental diseases and then he had studied and diagnosed the mental ailment of 10,000 paranoiac cases in Matteawan.

After the recess Justice Hendrick again read the recent report of the newspapers. The judge said that he had been quoted as saying that he answered a question "fully and sanely."

"I never said that," said the judge. "I said that Thaw answered a question 'fully.' The newspapers will have to stop misrepresenting the case. I have expressed no opinion whatever about the sanity or insanity of Thaw."

If he then told the jury to disregard what he had said, he had formed it if they had read that he had formed it, he said, and said that the newspapers publishing such accounts are in contempt of court.

Thaw reiterated his confident belief that he would be free in a few days and repeated that he had been planning to go to San Francisco.

"If my lawyers leave me any money," he said, "I shall buy a car and go to the exposition that way. My money has changed from my mind and will not go. If I go free, as I have every reason to hope, I shall spend a few days in Pittsburgh and then start for California by a automobile."

NEW ORLEANS, La., July 12.—Wireless dispatches sent out by navy department warning two British male steamships, the Baron Napier and Howthead, at this port, to search for bombs, brought a reply from the Baron Napier of the Georgia coast today that the crew is searching for explosives but none has been found. The Howthead has no wireless.

Both vessels stop at Norfolk for coal. Hans Halle, arrested here as a suspect in connection with letters written to a newspaper publisher signed "Pearce," saying that explosives had been placed on two British ships, today denied that he had any connection with the planting of explosives in cargoes of munitions or other contraband leaving the United States for British ports.

The police in their investigation of the "Pearce" letter admitted today that they had no direct evidence against Halle.

BROTHER OF DEAD MAN IS BEING HELD

Police Grill Steve Horvath Two Hours But Fail to Get Details in Shooting of John Horvath Monday Morning.

DETECTIVES SAY MEN WERE BREAKING SEALS

Elkhart Officers Contend That Sawed-off Shot Gun Was Use by Gang—Allowed to go After Telling Story.

Members of the local police department spent a fruitless two hours Monday morning in quizzing Steve Horvath, brother of John Horvath, of Kentucky st., who was shot and killed at Winkler's crossing on the New York Central railroad shortly after midnight Monday by two railroad detectives from Elkhart, Ind.

It was thought that Steve Horvath might be able to tell the authorities who the other members of the gang were, since he was alleged to have been one of the four who broke several car seals in the railroad yards. According to the police, however, little was learned. He is being held at the city jail to be examined further Monday night and Tuesday morning.

Detectives Released. The two detectives, Fred Gardiner and Charles H. Ray, who were arrested and held pending investigation by the local police, were released Monday morning by order of Coroner T. J. Swantz, who held that their act of shooting Horvath was justified, according to the little evidence that has been turned up.

Ray and Gardiner dropped off a freight train in the local yards where they discovered the four men wandering in the yards. From their place of concealment they claimed to have seen them break several car seals. In the effort to arrest them, the car breakers shot at the four men. Ray fired upon the pursuers with a sawed-off shotgun. When the detectives returned the fire, Horvath was hit on the left side. The bullet took an upward course and lodged under the skin in his right breast.

Mrs. Susie Horvath, wife of the slain man, was questioned closely Monday morning by Sgt. of Detectives. Other than to say that her husband had left home at 8 o'clock, she was unable to aid the authorities in their search for the other members of the gang.

Steve Horvath lives at his brother's home, but according to Mrs. Horvath the two left at different hours Sunday evening.

Coroner T. J. Swantz will hold the inquest in the case at 4 o'clock Monday evening. At that time Mrs. Horvath and Steve Horvath will be called upon to tell what they know of the occurrence.

A theory of possible truth which has been taken up by the police department is that the four men might have been the same as those who shot a brakeman in the knee in the local yards when they were ordered off the train by the crew. However, other members of the department discredit this theory.

AUTO TOOK HIS SALARY

Hammond Woman Blames Machine in Her Suit.

HAMMOND, Ind., July 12.—Mrs. H. R. Mitchell has brought suit for divorce against her husband in the Hammond superior court alleging that he spends his entire income on keeping up his automobile.

Wireless Says No Bombs Are Found on One Ship

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The police in their investigation of the "Pearce" letter admitted today that they had no direct evidence against Halle.

While Halle is held, many detectives are searching for "Pearce," who declared himself in the letter a partner of Frank Holt, the dynamiter, who tried to assassinate J. P. Morgan, while the British ambassador was his guest. They have no good clew to work upon and he is expected to be warned by some other steamer.

Son of Famous Bandit Held Up

LOS ANGELES, July 12.—Several sheriff's possees from Panama, Calif., today were searching the country about Ganesha Junction for two bandits who held up a Pacific electric car a mile west of Pomona last night, robbed its passengers and escaped with several hundred dollars in cash. Latest reports stated that the officers had found no trace of the robbers.

One of the passengers on the car when the bandits ordered "hands up" was Frank Jennings, son of the famous bandit himself. Jennings is now conducting evangelistic meetings in southern California. His hands went up with those of the other passengers.

COMPLAINTS ARE HEARD BY BOARD

Remonstrators Headed by G. W. Blair Tell Why They Object to Bremen Highway—Say Work Not Well Done.

Complaint as to the condition of the Perkins highway was heard by the county commissioners Monday forenoon. A formal remonstrance to the acceptance of the highway has been filed by George W. Blair and others. The remonstrators appeared before the commissioners Monday also did members of the Northern Indiana Motor club. The motor club is backing up the remonstrators and membership campaign, which was to have been started Monday morning, has been postponed until Tuesday pending the hearing before the commissioners. It was expected that the hearing would continue the afternoon.

It is alleged by the remonstrators that the Perkins highway, commonly known as the Union st. road or the highway, was not constructed according to specifications. The contract was let last July to H. W. Reed & Sons for \$32,850 and the work was completed two weeks ago. The distance that it was four and one-half miles, extending from Mishawaka to Bremen.

Among other specific charges brought by the remonstrators is that the sub-grade was not rolled, that the gravel was not properly screened, that the proper proportions of sand were not used, that there is not the required thickness of gravel, that the gravel is not uniformly 10 feet wide, and that there is not proper drainage.

Couldn't Use Roller. Pres't Reed of the contracting firm was the first witness examined. He admitted that the sub-grade had not been rolled for the entire length with the steam roller for the reason that for part of the distance near the north end the foundation was of sand so loose that it could not be packed by the roller. That section, he said, had been rolled with a 16-ton traction engine having 30-inch wheels. He testified that no place had the gravel been laid without the permission of the inspecting engineer.

It was sought by counsel for the remonstrators to find out how much gravel had been used on the entire highway. The witness could not answer from the record of freight bills and the question was left unanswered until the end of the day. The gravel could be produced as evidence. As to sand that was not screened before it was used, the witness declared that he had been instructed by the engineer in charge of the work to use what was necessary. Also, he said that the engineer had permitted the doing away with grade boards at certain places where there was apparently no need for them.

George W. Blair of the Mishawaka Woolen Manufacturing Co., was next placed on the stand. He said that his interest in the highway was merely that of a taxpayer. He said that he made his first trip over the road during the second week in April and that at that time the surface sand and gravel was very loose. When he made his last trip on last Friday, he testified, the surface was still loose although not so much so as at the time of his trip in April. The south end, he said, was a particularly bad one.

Test for Gravel Dept.

The witness also testified that there were ruts in the road and that at places it was less than the regulation 10 feet wide. He said that the road had been made which showed that the sand that had been used was much finer than the specifications called for and that there was barely nine inches of gravel in the center of the road where there should be 14 inches.

Fulmer, living on the road two and a half miles south of Mishawaka, also testified that the sub-grade had not been rolled and also that the road was not properly graded.

The remonstrators are represented by J. Fred Bingham and the contracting firm by Fred Woodward. There were four or five witnesses still to be heard Monday afternoon.

OLD BALKAN LEAGUE MAY COME TO LIFE

ROME, July 12.—Continued success of the Italian troops against the Austrians and the growing belief that this country will be a power to be reckoned with in the future Balkan affairs is having a strong influence upon the shaping of policies by the Balkan nations.

It was reported in diplomatic circles here today that there is every possibility of a meeting of the kings of Roumania, Bulgaria and Greece at Athens before the Greek parliament convenes. Serbia will be represented and also Italy.

The meeting indicates that efforts are being made to revive the old Balkan league. Heretofore Bulgaria and Greece have eyed each other with suspicion and the Bulgarian aspirations to get Salonika.

TEUTONS USE GAS AND GAIN IN WEST ZONE

Souchez Cemetery is in Hands of Kaiser's Forces After Sharp Battle—Attacks at Other Points Repulsed.

HEAVY GUNS ROARING TO NORTH OF THE OISE

Paris Report Says Defeat in Woivre Region is Another Setback For Army of Crown Prince.

PARIS, July 12.—German troops have won a victory at Souchez, but a general attack by the Kaiser's forces in the Woivre region has been repulsed at every point by the French, the war office announced this afternoon.

The official communique admits the loss of the Souchez cemetery after a sharp conflict in which the Germans again made use of the poisonous gas to open the way to victory. After they had looted the cemetery, the French lines, the Germans made a fierce attack and this was repulsed at first, but the Germans renewed their assault and took the cemetery.

The German defeat in the Woivre region is another set back for the army of Crown Prince Frederick William, which is striving to cut its way through to Verdun both from the Argonne and Woivre.

The text of the communique follows: "There was great activity during the course of the night at the front. In the sector of Arras, the enemy have thrown a great number of projectiles, containing asphyxiating gas, and attempted about midnight an attack on the south of Souchez, which was repulsed. A second attack about 2 a. m. permitted him to occupy the cemetery and some parts of the trenches immediately adjacent.

A very sharp conflict, from the trenches is going on in the trenches to the southeast of Neuville St. Vaast without appreciable gains on either side.

On the plateau to the north of the Oise, the bombardment being carried on by both sides is particularly violent in the region of Quenneviers and Nouvron.

In the Woivre the enemy is violently bombarding Fresnoes-en-Woivre with shells of all calibres and attempting several attacks. One was near Soulez-en-Woivre, the other in the sector of Arras, at Vaux-Pery, and at Tete-a-Vache. He has been repulsed everywhere.

In the Vosges the Germans blew up a mine near our positions to the southwest of Alsterville. Immediately afterward he launched a fierce attack with several companies. This was repulsed with heavy losses. We made a few prisoners."

BRITISH CRUISER STRUCK BY TURKS

Fires 200 Shells at the Dardanelles Before She is Forced to Retire—Allied Airmen Are Busy.

CONSTANTINOPLE (via Berlin and Amsterdam), July 12.—Another British cruiser has been damaged by Turkish artillery at the Dardanelles, the war office announced today. The English warship fired 200 shells upon the Turkish position but was forced to retire when hit by shells fired in reply.

In its attack upon the Turks near Gaba Tepeh, the British vessel was accompanied by four torpedo boats to protect it from submarines. The war office statement follows: "Saturday afternoon an enemy armored cruiser of the Lord Nelson type appeared before Gaba Tepeh under the protection of four torpedo boats and fired more than 200 shells upon our position, without success. The Turkish forces lost one killed and two injured.

"Several Turkish shots hit the ship and forced it to retire damaged. "During the effective fire of our Anatolian coast batteries, the enemy's fire at Ari Burnu is weaker. Yesterday our batteries bombarded successfully a howitzer battery west of His Sarik. "Enemy aircraft flew over the Anatolian at the narrow but were driven back by our batteries.

"The situation on the other fronts is unchanged."

The Turkish official statement refers to the damaged British warship as an armored cruiser of the Lord Nelson class. The Lord Nelson, however, is a battleship of 16,000 tons.